

Basically, the majority does not want a vote on issues that concern the American people. They also do not want a vote on a better idea on how to address the marriage penalty because technically, if cloture is invoked, the amendment offered by Senator MOYNIHAN, which is the Democratic amendment—a better idea—will not be in order. It will not be in order to address all the 65 provisions of the code called the marriage tax penalty. It will not be in order for Americans to choose; that is, choose to file jointly or separately. An amendment will not be in order to allow Americans to choose.

It is no wonder all this smokescreen is being put up over here, playing politics, lots of folderol. Cut right down to the bone, the issue is, Should we be able to vote for a better way to address the marriage penalty or not? I think we should; therefore, that amendment should be in order. It will not be in order if cloture is invoked. They know that. They don't want us to be able to vote on that. In addition, they don't want a vote on other amendments, such as education and prescription drug benefits, which are a good idea. They don't want a vote on those.

That is all this comes down to. I say let's vote on a couple of these amendments. Then let's vote on which of the two marriage tax penalty provisions is best. We will be doing the American people a great service by solving the marriage tax penalty problem.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Massachusetts is recognized for 5 minutes, and then the Senator from Texas is recognized for 5 minutes, and we will vote.

Mr. KENNEDY. Mr. President, I commend the Senator from Montana and commend the reasoning he has presented to this body. What he has pointed out is we could move ahead on this issue and reach a fair resolution of the injustice of the marriage tax penalty if we just had the opportunity to have a reasonable debate and discussion on these measures. We are effectively being denied, closed out from that opportunity. I just thank him for reiterating that. As a leader on the Finance Committee on this issue, I think he has made this case in a very powerful way.

EDUCATION

Mr. KENNEDY. Mr. President, on the issue of education, the elementary and secondary education legislation will be coming to the floor in the next several days, according to what the leader has announced. I wish to indicate, once again, the position of those of us on this side of the aisle and what we tried to do in the markup of the education proposal several weeks ago.

We attempted to follow some of the rather radical, but significant, changes

we have seen as a result of enhanced and improved academic achievement at the local level. We want some guarantees because of the scarce resources available to us.

As my colleagues know, 7 cents out of every dollar for education comes from the Federal Government. We are strongly committed on this side of the aisle to building on tried and tested programs that are indicating enhanced achievement for the children of this country, rather than the alternative, which is a block grant program our Republican friends have supported.

We will have a chance to go through their legislation. It is S. 2. Instead of providing targeted resources to local communities for improving teacher quality, smaller class size and after-school programs, the majority, in this lengthy legislation, says it should be the "... determination of State participation, the Governor of a State"—not the local parents, not the local school board, not the local community, but the Governor of a State—"in consultation with the individual body responsible for the education of the State shall determine. . . ." We will go through the legislation next week.

Their legislation says 5 years later there is going to be an accounting. We, on this side, do not want to wait 5 years to find out if their particular block grant program has been effective. All one has to do is go back to 1965 to 1969. We provided block grants to the States under the title I program. We will go through some of this during the debate. The State of Tennessee—all States have indicated how they utilized the money—purchased 18 portable swimming pools in the summer of 1966 at \$3,500 each. The justification was that funds originally approved for a summer remedial program would not be spent and the money would otherwise go unspent. There is the buying of football uniforms in some States, and the buying of musical instruments for groups not even affected by title I. We will go through what has happened historically with the block grant program.

Our programs are targeted to make sure we have a well-trained teacher in every classroom. We believe the overwhelming majority of American parents understand that and want that. We want to make sure we have smaller class sizes. We do not need more studies. We have had all the studies, and we have the results. We understand, as Senator MURRAY has pointed out so effectively, that smaller class sizes result in enhanced academic achievement. We believe, with the scarce resources available, we ought to invest in a guaranteed program with guaranteed results of having the smaller class sizes. We believe in afterschool programs which are so important.

Modern, safer schools: Our schools are too crowded, out-of-date, and dilap-

idated. We owe it to our children to modernize our schools—to have more classrooms, to provide modern teaching facilities, and to provide our children with a safe and orderly learning environment.

Accountability for results: We should hold schools accountable for results. We don't want to write a blank check to the states. We want federal education dollars to go to proven programs that will bring about real change. And we should require schools to use scarce federal dollars to bring about that change.

A greater role for parents: Children and schools need the support of parents. Senator REED will propose an amendment to give parents a stronger role in the education of their children and in the decision-making in their local schools.

Gun safety: We should give gun safety top priority when it comes to our children and our schools. Child safety locks on guns should be a requirement. And we should close the gun show loophole that has proven so deadly to our children and our schools. The Senate passed such legislation last year, but it languishes in conference. We should act again—this time in earnest—to protect our children and our schools from gun violence.

Republican colleagues will talk about change—they talk about having better teachers and safer schools. But if you read their bill, they just perpetuate the status quo. All they want to do is give more money to the governors and the states to use for their favorite programs. There is no guarantee under the Republican bill that your local school will spend the money on smaller classes, safer schools, or better teachers.

THE PRESIDING OFFICER. The Senator's time has expired.

Mr. KENNEDY. I thank the Chair.

MARRIAGE TAX PENALTY RELIEF

THE PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank Senator ROTH and Senator GRASSLEY for helping us write a very good bill that will give relief to 21 million married couples in this country; 42 million people will receive a benefit.

When I go through my State and a policeman comes up to me and says, "I cannot believe how much more I am paying since I got married," or a schoolteacher or a county clerk or a sheriff's deputy, I wonder what could we be thinking. This is not a tax cut; this is a tax correction. Twenty-one million American couples are paying a penalty only because they are married. That is not right.

The President of the United States, in his March 11 radio address, addressed six tax cuts he thinks would be a good idea. Two of those are in the bill we are voting on today. He said: